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SUBJECT: CONTINUITY OF ISRAELI GOVERNMENT LEADERSHIP

SUMMARY

11. The powers of the Prime Minister have been transferred to Kadima minister Ehud Olmert in his capacity as Alternate Prime Minister, in accordance with Israel's Basic Law. Should Sharon die, Olmert is almost certain to be chosen as acting prime minister to serve until the forthcoming elections. Olmert chaired his first cabinet meeting on January 5, and government ministers and party leaders across the political spectrum are urging stability and continuity. While the Basic Law permits postponement of the elections during an emergency, no serious calls have been heard urging such action. If the Prime Minister dies, the Government is deemed to have resigned on the day of his death. No indications exist, however, that Olmert's caretaker position will be challenged in advance of the scheduled March 28 elections.

THE ATTORNEY GENERAL APPLIES THE LAW

12. Attorney General Meni Mazuz has confirmed the applicability of Article 16 [B] of the Basic Law: the Government. This article states that when a prime minister is temporarily unable to fulfill his function, his duties are to be carried out by the alternate prime minister for a period of 100 days. If after that period the PM has not returned to office, he is deemed to be permanently incapable of doing so and the government is considered to have resigned on the following day. Since elections have already been called for March 28th, that becomes the governing date, unless a move, highly unlikely, is made to postpone elections. In the event of the Prime Minister's permanent incapacitation or death, a separate provision of law requires the government to choose an acting prime minister from among the ranks of the ministers -- five in this case -- who are members of the incapacitated prime minister's Knesset faction: Kadima. Under that configuration, Olmert remains the most likely choice, and at this point all parties are calling for stability.

OLMERT CONVENES THE CABINET

13. The Attorney General's decision cleared the way for a swift transfer of powers to the Alternate Prime Minister prior to the start of the marathon surgery on Prime Minister Sharon. Olmert held a Cabinet meeting January 5 in which the Attorney General reviewed the special circumstances created by the Prime Minister's hospitalization. Diplomatic sources were widely quoted by the electronic media as saying the purpose of the Cabinet meeting was to signal stability and continuity. Addressing the ministers, Olmert underscored the resilience and strength of the state of Israel, which he said would see the nation through "this difficult time." Olmert later spoke with Bank of Israel Governor Stanley Fisher and the two agreed that macro-economic policy as well as budgetary and monetary policy would continue.

RALLYING BEHIND A COMMON INTEREST

14. All the indications at this stage are that the major political players recognize a common interest in fostering stability and maintaining continuity of government. The clearest expression so far was given by Likud Party Chairman Binyamin Netanyahu, who announced that, for now, he will not be pulling his party's ministers out of the government at the week's end as he had earlier intended. Netanyahu did not elaborate on the decision, but it clearly eases Olmert's administrative burden. Kadima's minister of justice, Tzippi Livni, told the Cabinet meeting that she would do everything she could to assist Olmert in his caretaker role, and that all ministers would do likewise. Statements of support for Olmert and offers to be of assistance have come from Likud Foreign Minister Sylvan Shalom, Labor party chairman Amir Peretz, and Shinui party leader Yossef Lapid. Shas leader Eli Yshai said this was not the time for political changes.

JONES